



**DRAFT MINUTES OF THE  
WELL INSTALLATION BOARD MEETING  
Missouri Geological Survey  
Mozarkite Conference Room  
111 Fairgrounds Road, Rolla, Mo.**

**May 21, 2015**

The regular meeting of the Well Installation Board was held May 21, 2015, at the Missouri Geological Survey, Mozarkite Conference Room, 111 Fairgrounds Road, Rolla, Mo. A quorum being present, Mr. Danny Flynn, Chairman, called the meeting to order at 10:03 a.m.

**Board Members Present:** Mr. Danny Flynn; Mr. Robert Lawrence; Mr. Fred Schoen; Ms. Sharlene Morgan; Mr. Joe Gillman; Mr. Bob Broz

**Board Members Present via Conference Call:** Ms. Annetta St. Clair.

**Board Members Absent:** None.

**Legal Counsel:** Mr. Jacob Westen, Assistant Attorney General

**Staff Present:** Mr. Jerry Prewett; Mr. Kyle Rollins, Ms. Sheri Fry, Ms. Connie Edwards, Ms. Rhonda Wilks, Ms. Julia Katich, Mr. Justin Davis, Ms. Jeannie Hoyle, Ms. Karen Smith; Mr. Scott Kaden

**Guests Present:** Ms. Beth Marsala, Missouri Water Well Association; Mr. Phil Luther, Midwest Hydro Drilling; Ms. Kaley Erwin, Petroleum Storage Tank Insurance Fund

## **INTRODUCTION**

Mr. Danny Flynn welcomed everyone to the meeting and introduced himself. He asked the Board members to introduce themselves, followed by staff and the audience.

## **MINUTES OF THE FEBRUARY 23, 2015 MINUTES**

The Chairman asked if there were any corrections to the minutes from the February 23, 2015, meeting. Mr. Broz offered a motion to accept the minutes. Mr. Schoen seconded the motion. Motion carried.

## **JOINT WATER COMMITTEE UPDATE**

Chair Flynn updated the board on the Joint Water Committee and the status of the Missouri water plan. A letter was drafted by the Committee and sent to the Governor stating their findings and recommendations. Mr. Luther requested a copy of letter. Ms. St. Clair asked if the letter could be attached to the minutes. Mr. Flynn said he would make a copy available.

## **PROGRAM UPDATES**

Mr. Jerry Prewett, Deputy Division Director, updated the Board on the final legislation outcome for 2015 and the current status of the integrated data project.

## **SECTION UPDATES**

The Chairman recognized Mr. Rollins, Section Chief, who introduced Ms. Karen Smith, Senior Office Support Assistant, in the Wellhead Protection Section. Mr. Rollins updated the Board on the vacancies, current online efforts, change in permit renewal date, follow-up on lost wells and first quarter activities including: 7 educational presentations, 31 variances, 32 casing depths, 232 sunshine requests, 1,800 incoming calls, 544 incoming emails, 3,000 pieces of mail received, assigned 63 admin. cases, resolved 44 admin. cases, assigned 12 field cases and 10 have been resolved, 33 compliance assistance visits were made.

## **PERMIT PETITIONS**

The Chairman recognized Ms. Fry who stated no permit petitions were received.

## **RULE UPDATE**

The Chairman recognized Mr. Rollins who updated the Board on the current status the following rulemakings: Appeals Rule, Well Plugging Rule, Definitions, Types of Well Rule, Water Wells Rule, Variance Rule, Monitoring Well Rules, Test Hole Rules and the Permitting Rule.

## **MIDWEST HYDRO APPRENTICESHIP ISSUE**

The Chairman recognized Mr. Rollins who briefed the Board on the history of the apprenticeship program. Mr. Rollins also updated the board on the submission of Midwest Hydro certification and registration forms which included signatures of all four of the company's apprentices and correspondence regarding the issue. The Chairman recognized Mr. Luther who reiterated his issue with the current policy of one form per apprentice. After discussion, it was agreed by the Board, staff and Mr. Luther, that staff and Mr. Luther will work together to apply the forms submitted toward one apprentice to expedite permitting. Mr. Gillman made a motion in light of the information presented by the Wellhead Protection Section and the information presented by Midwest Hydro on the question of qualifications for apprenticeship and the number of apprentices per project, "I would recommend that we maintain our interpretation of that rule which is one apprentice per project as allowed by the Department." Mr. Broz seconded the motion. A roll call vote was taken as follows: Mr. Lawrence, yes; Mr. Schoen, yes; Mr. Broz, yes; Ms. Morgan, yes; Mr. Gillman, yes; Ms. St. Clair, yes. Motion carried.

## **HIGH YIELD WELL FEE**

The Chairman recognized Mr. Rollins, who recommended the issue be tabled indefinitely for further analysis and possible stakeholder meetings if needed. Mr. Lawrence made a motion to follow staff recommendation. Mr. Schoen seconded the motion. A roll call vote was taken as follows: Mr. Lawrence, yes; Mr. Schoen, yes; Mr. Broz, yes; Ms. Morgan, yes; Mr. Gillman, yes; Ms. St. Clair, yes. Motion carried.

## **CLEAR-CASED WELL PRESENTATION**

The Chairman recognized Mr. Justin Davis who presented a downhole camera video of the MGS clear-cased demonstration well.

## **MISSOURI WATER WELL ASSOCIATION**

The Chairman recognized Ms. Marsala who stated the Association was in support of the bedrock irrigation fee being tabled as the Association was concerned the fee would later be applied to all well pluggings. Ms. Marsala also inquired about natural resources damages receiving a large settlement and work on a groundwater restoration plan and stated in the plan, there is money for plugging wells. Mr. Gillman stated settlement money was awarded to the Department to offset environmental damage and that there has been no decision made on what the steps forward are going to be. Mr. Gillman recommended Ms. Marsala reach out to Mr. Tim Rielly with the Department.

## **OTHER BUSINESS**

Mr. Gillman asked in light of the public's request for a copy of the joint water commission letter, for counsel to give direction to make sure the Board meets any sunshine requirements. Ms. Katich stated she will work with Mr. Pete Cosgrove, the Department's Custodian of Records to make sure the request is filled in a timely manner. Mr. Gillman asked if the Board could include the letter as part of the minutes; Mr. Westen stated that if the letter had been submitted to the Governor already it is assumed a public document and that the letter can be submitted as part of the minutes. \*See letter at the end of this document.

## **PUBLIC COMMENT AND CORRESPONDENCE**

None.

## **FUTURE MEETINGS**

At the last regular meeting held in Lake Ozark, Mo. Feb. 23, 2015, the Board voted to hold the August meeting at 10 a.m., Fri., Aug. 28, 2015, in Rolla, Mo. Mr. Broz made a motion to hold the November meeting Fri. 6, 2015 in Rolla, Mo. Ms. St. Clair seconded the motion. Motion carried.

## **ROLL CALL VOTE FOR NEXT CLOSED SESSION**

Mr. Schoen moved that the Well Installation Board meet in closed session at the next regular board meeting for the purpose of discussing matters protected from disclosure by law as provided for in Section 610.021, RSMo., including but not limited to: legal actions, pending litigation, and attorney-client privileged matters with the Board's attorney. The motion was seconded by Mr. Lawrence. A roll call vote was taken as follows: Mr. Lawrence, yes; Mr. Schoen, yes; Mr. Broz, yes; Ms. Morgan, yes; Mr. Gillman, yes; Ms. St. Clair, yes. Motion carried.

## **ADJOURNMENT OF MEETING**

Mr. Schoen moved to adjourn the meeting. Ms. St. Clair seconded the motion. Motion carried. Meeting adjourned at 11:21 p.m.

*Minutes taken at the Well Installation Board meetings are not verbatim records of the meeting. Consequently, the minutes are not intended to be and are not a word-for-word transcription.*